

REMARKS

In response to the Office Action dated June 16, 2006, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Applicants have amended claims 1-5, canceled claims 6-10, 15, 27-31, and 34. Applicants have not added any new claims. Thus, claims 1-5 and 22-26 are pending in the present application.

Claim Rejections – Non-statutory Double Patenting

Claims 1-2, 4-10, 12-19, 21-25, and 27-28

In the Office Action, claims 1-10, 15, 22-31, and 34 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 and 9-24 of U.S. Patent Application No. 09/717,645 (now U.S. Patent No. 6,978,281) in view of U.S. Patent No. 5,649,200 to Leblang et al. ("Leblang").

Applicants submit herewith a Terminal Disclaimer in compliance with 37 CFR 1.321(c) and accordingly request the withdrawal of the obviousness-type double patenting rejection of claims 1-5 and 22-26.

Claim Rejections – 35 U.S.C. § 101

Claims 1-5, 6-10, and 15

In the Office Action, claims 1-5, 6-10, and 15 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-5 have been amended, as recommended by the Examiner, to recite a computer readable medium. Thus, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 101 rejection.

Claim Rejections – 35 U.S.C. § 112

Claim 15

Claim 15 is rejected under 35 U.S.C. § 112 for insufficient antecedent basis. Claim 15 has been cancelled, thus obviating this rejection.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 6, 8-10, 27, 29-31, and 34

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PATENT

In the Office Action, claims 6, 8-10, 27, 29-31, and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Leblang in view of U.S. Patent No. 5,890,166 by Eisenberg et al. Applicants respectfully request withdrawal of the rejections as claims 6, 8-10, 27, 29-31, and 34 have been cancelled, obviating the rejection.

Claims 7, 15, and 28

In the Office Action, claims 7, 15, and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Leblang and Eisenberg in view of U.S. Patent No. 5,862,325 to Reed et al. Applicants respectfully request withdrawal of the rejections as claims 7, 15, and 28 have been cancelled, obviating the rejection.

Allowable Subject Matter

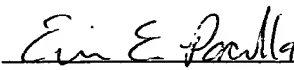
Claims 1 and 22

The Examiner has indicated that claims 1 and 22 contain allowable subject matter. Applicants submit that, with the amendment of claim 1 and its dependent claims, as suggested by the Examiner, as well as the submission of a terminal disclaimer, claims 1-5 and 22-26 are in condition for allowance.

Conclusion

For all the foregoing reasons, Applicants respectfully submit that the pending claims patentably define over the cited art. Accordingly, a Notice of Allowance for claims 1-5 and 22-26 is respectfully requested. In the event, however, that the Examiner believes that the application is not allowable for any reason, the Examiner is encouraged to contact the undersigned agent to discuss resolution of any remaining issues.

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